

From: [Bloomberg, Jon H](#)
To: [Figur, Charles \(he/him\)](#)
Subject: FW: RCRA-08-2022-0008
Date: Thursday, May 19, 2022 10:48:52 AM

Chuck,

It probably carries more weight if you respond, but my view is that the dispute resolution procedures are not inconsistent with the other provisions – perhaps it could have been a bit more clear, but the intent is to resolve disputes relating to the implementation of the agreement and it is not intended to preclude other remedies, once the dispute resolution procedures have been exhausted.

Jon

From: Hall, Katherin <hall.katherin@epa.gov>
Sent: Thursday, May 19, 2022 11:39 AM
To: Figur, Charles (he/him) <Figur.Charles@epa.gov>; Bloomberg, Jon H <Jon.H.Bloomberg@xcelenergy.com>
Cc: Talbert, Stephanie <Talbert.Stephanie@epa.gov>; R8 Hearing Clerk <R8_Hearing_Clerk@epa.gov>
Subject: RCRA-08-2022-0008

You don't often get email from hall.katherin@epa.gov. [Learn why this is important](#)

EXTERNAL - STOP & THINK before opening links and attachments.

Parties:

I appreciate your patience as I review this consent agreement. Can you please confer with each other and let me know how paragraph 136 can be reconciled, as currently drafted, with paragraphs 145 and 153? One or both of you may respond to this email. If you prefer, I can set up a call. If you are both in agreement that the paragraphs can be read in harmony, without changes, please let me know and provide a brief explanation. If, instead, you determine that changes are necessary, please advise me that you are modifying the agreement.

Please note that I'll be on leave beginning May 31st. The alternate RJO will be available in my absence, but is not yet familiar with this agreement, which may delay issuance of a final order. She is copied here, in the event her

involvement becomes necessary.

Thank you in advance.

Katherin E. Hall (she/her)

Assistant Regional Counsel | Regional Judicial Officer

Office of Regional Counsel | Region 8

303.312.6280